



TFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88618

Philippe BOUTIN, et al.

Appln. No.: 10/538,922

Group Art Unit: 1615

Confirmation No.: 5674

Examiner: Not yet assigned

Filed: June 7, 2006

For: METHOD OF DIAGNOSIS OF OBESITY

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

ATTN: Office of Initial Patent Examination
Filing Receipt Correction

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following corrections:

Applicant(s)

Severine Dubois, ~~Vecquemont, FRANCE;~~ Vecquemont, FRANCE;

Verification for the requested corrections is indicated on the Assignment and Declaration filed June 7, 2006.

Respectfully submitted,

Susan J. Mack
Registration No. 30,951

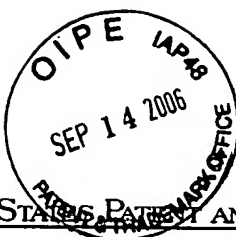
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 15, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

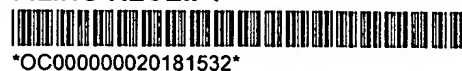
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/538,922	06/07/2006	1615	3290	Q88618	3	22	11

CONFIRMATION NO. 5674

23373
 SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

FILING RECEIPT



OC000000020181532

Date Mailed: 08/25/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Philippe Boutin, Tourcoing, FRANCE;
 Severine Dubois, ~~Vecquemont, FRANCE;~~ **Vecquemont, FRANCE;**
 Christian Dina, Paris, FRANCE;
 Philippe Froguel, Bagnolet, FRANCE;

Power of Attorney: The patent practitioners associated with Customer Number 23373.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB03/05282 10/31/2003

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 022930853 12/13/2002

If Required, Foreign Filing License Granted: 08/24/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/538,922**

Projected Publication Date: 11/30/2006

Non-Publication Request: No

Early Publication Request: No



Title

Method of diagnosis of obesity

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 C.F.R. 1.63)

Déclaration et pouvoir pour demande de brevet (37 C.F.R. 1.63)

French Language Declaration

Je déclare par le présent acte que :

Le domicile, l'adresse postale et la nationalité de chacun des inventeurs sont ceux figurant ci-dessous, en regard de leur nom.

J'ai la conviction que le(s) inventeur(s) désigné(s) ci-après est/sont le(s) inventeur(s) original/originaux et premier(s) de l'objet revendiqué, pour lequel une demande de brevet a été déposée concernant l'invention intitulée :

☐ telles spécifications étant jointes aux présentes :

OU

☐ ont été déposées le _____ sous le numéro de demande des États-Unis ou le numéro de demande international PCT _____ (n° de confirmation _____) et modifiées le _____ (le cas échéant).

Je déclare par le présent acte avoir pris connaissance de, et compris le contenu des spécifications ci-dessus, revendications comprises, telles que modifiées par toute modification à laquelle il aura été fait spécifiquement référence ci-dessus.

Je reconnais devoir divulguer toute information importante au regard de la brevetabilité, comme défini au 37 C.F.R. 1.56, y compris, dans le cas de(s) demande(s) de continuation, des informations importantes qui sont devenues disponibles entre la date de dépôt de la demande antérieure et la date de dépôt nationale ou internationale PCT de la demande de continuation.

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD OF DIAGNOSIS OF OBESITY

☐ the specification of which is attached hereto

OR

☒ was filed on June 13, 2005 as United States Application Number or PCT International Application Number 10/538,922 (Confirmation No. _____), and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

French Language Declaration

Je revendique par le présent acte le bénéfice de la priorité étrangère, en vertu du 35 U.S.C. 119(a)-(d) ou (f), ou du 365(b) de toute(s) demande(s) étrangère(s) de brevet ou de certificat de droits d'inventeur ou d'obtention, ou du 365(a) de toute(s) demande(s) internationale(s) PCT désignant au moins un pays autre que les États-Unis d'Amérique et figurant ci-dessous et, en cochant la case, j'ai aussi indiqué ci-dessous toute(s) demande(s) étrangère(s) de brevet, tout certificat de droits d'inventeur ou d'obtention ou toute(s) demande(s) internationale(s) PCT dont la date de dépôt est antérieure à celle de la demande pour laquelle une priorité est revendiquée.

Prior Foreign Application Number(s)
Numéro(s) de demande étrangère antérieur(s)

02293085.3	EP
(Application Number) (Numéro de demande)	(Country) (Pays)

(Application Number) (Numéro de demande)	(Country) (Pays)

Je revendique par le présent acte une priorité nationale en vertu du 35 U.S.C. 119(e), de toute demande de brevet provisoire pour les États-Unis figurant ci-dessous.

(Application Number) (Numéro de demande)	(Filing Date) (Date de dépôt)

(Application Number) (Numéro de demande)	(Filing Date) (Date de dépôt)

Je revendique par le présent acte, en vertu du 35 U.S.C. 120, le bénéfice de toute(s) demande(s) de brevet pour les États-Unis, ou du 365(c), de toute(s) demande(s) internationale(s) PCT désignant les États-Unis et figurant ci-après et, dans la mesure où l'objet de chacune des revendications de cette demande de brevet n'est pas divulgué dans une demande antérieure américaine ou internationale PCT énumérée conformément au premier paragraphe du 35 U.S.C. 112, je reconnais qu'il m'incombe de divulguer toute information importante au regard de la brevetabilité de la présente demande, comme prévu au 37 C.F.R. 1.56, apparue entre la date de dépôt de la demande antérieure et la date de dépôt de la demande nationale ou internationale PCT de la présente demande :

Prior U.S. or International Application Number(s)
Numéro(s) de demande(s) antérieure(s) américaine ou internationale

PCT/IB2003/005282	OCTOBER 31, 2003
(Application Number) (Numéro de demande)	(Filing Date) (Date de dépôt)

(Application Number) (Numéro de demande)	(Filing Date) (Date de dépôt)

Je déclare par le présent acte que toute déclaration ci-incluse est, à ma connaissance, véridique et que toute déclaration formulée à partir de renseignements ou de suppositions est tenue pour véridique ; et de plus, que toutes ces déclarations ont été formulées en sachant que toute déclaration intentionnellement erronée ou l'équivalent est passible d'une peine d'amende ou d'emprisonnement, ou des deux, en vertu du 18 U.S.C. 1001, et que telles déclarations intentionnellement erronées sont susceptibles de compromettre la validité de la demande de brevet ou du brevet délivré sur la base de celle-ci.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Priority Claimed?
Droit de priorité revendiqué ?
Yes/Oui No/Non

December 13, 2002	<input checked="" type="checkbox"/> <input type="checkbox"/>
(Filing Date) (Date de dépôt)	

	<input type="checkbox"/> <input type="checkbox"/>
(Filing Date) (Date de dépôt)	

I hereby claim domestic priority under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

I hereby claim benefit under 35 U.S.C. 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Pending
(Status: patented, pending, abandoned)
(Statut : breveté, en cours d'examen, abandonné)

(Status: patented, pending, abandoned)
(Statut : breveté, en cours d'examen, abandonné)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

French Language Declaration

POUVOIR : je désigne par les présentes tous avocats de SUGHRUE MION, PLLC énumérés sous le Numéro de Client USPTO figurant ci-après comme mes avocats pour la présente demande, ainsi que pour traiter avec l'Office des brevets et des marques des États-Unis (United States Patent and Trademark Office) de toute affaire en liaison avec celle-ci, reconnaissant formellement que les avocats spécifiques énumérés sous ce Numéro de Client peuvent être modifiés à tout moment, à la discrétion exclusive de Sughrue Mion, PLLC, et demande que toute correspondance relative à la demande soit adressée à l'adresse mentionnée sous le même Numéro USPTO.

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

STATEMENT OF ACCURATE TRANSLATION IN ACCORDANCE WITH 37 C.F.R. §1.69(b):

The declaration and power of attorney is an accurate translation of the corresponding English language declaration and power of attorney.

Signature _____

Date _____

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Adresser tout appel téléphonique à :

SUGHRUE MION, PLLC
(202) 293-7060

Direct Telephone Calls to:

SUGHRUE MION, PLLC
(202) 293-7060

NAME OF SOLE OR FIRST INVENTOR:

Nom de l'unique ou premier inventeur :

Given Name (first and middle [if any]) Prénom (premier et second [le cas échéant]) Philippe	Family Name or Surname Nom de famille ou patronymique BOUTIN
---	--

Inventor's signature Signature de l'inventeur PB	Date Date January 30, 2006
--	--

Residence: TOURCOING, FRANCE Domicile : 133, Bois d'Achelles, 59200 Tourcoing FRANCE	Citizenship Nationalité French
--	--

Mailing Address:
 Adresse postale : 133, Bois d'Achelles, 59200 Tourcoing FRANCE

NAME OF SECOND INVENTOR:

Nom du deuxième inventeur :

Given Name (first and middle [if any]) Prénom (premier et second [le cas échéant]) Séverine	Family Name or Surname Nom de famille ou patronymique DUBOIS
---	--

Inventor's signature Signature de l'inventeur	Date Date
--	--------------

Residence: VECQUEMONT, FRANCE Domicile : 43, avenue des Lilas, 80800 Vecquemont FRANCE	Citizenship Nationalité French
--	--

Mailing Address:
 Adresse postale : 43, avenue des Lilas, 80800 Vecquemont FRANCE

NAME OF THIRD INVENTOR:

Nom du troisième inventeur :

Given Name (first and middle [if any])

Prénom (premier et second [le cas échéant])

Christian

Family Name or Surname

Nom de famille ou patronymique

DINA

Inventor's signature

Signature de l'inventeur



Date

Date

30/01/06

January 30, 2006

Residence: PARIS, FRANCE

Domicile :

16, rue Saulnier 75009 Paris FRANCE

Citizenship

Nationalité

French

Mailing Address:

Adresse postale :

16, rue Saulnier 75009 Paris FRANCE

NAME OF FOURTH INVENTOR:

Nom du quatrième inventeur :

Given Name (first and middle [if any])

Prénom (premier et second [le cas échéant])

Philippe

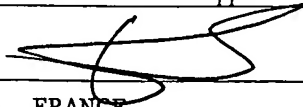
Family Name or Surname

Nom de famille ou patronymique

FROGUEL

Inventor's signature

Signature de l'inventeur



Date

Date

January 30, 2006

Residence: BAGNOLET, FRANCE

Domicile :

104, avenue de la Dhuys 93170 Bagnoleet FRANCE

Citizenship

Nationalité

French

Mailing Address:

Adresse postale :

104, avenue de la Dhuys 93170 Bagnoleet FRANCE

Assignment


Whereas, I/We, Philippe BOUTIN, Severine DUBOIS, Christian DINA and Philippe FROGUEL of Tourcoing, France, Vecquemont, France, Paris, France, and Bagnolet, France, respectively, hereinafter called assignors, have invented certain improvements in METHOD OF DIAGNOSIS OF OBESITY and executed an application for Letters Patent of the United States of America therefor on June 13, 2005; and

Whereas, CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE, 3 Rue Michel Ange, F75016 Paris FRANCE (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

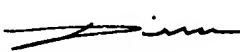
Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/538,922 and Confirmation number _____, filed June 13, 2005) the application number and filing date of said application when known.

Date: 30/01/2006 
January 30, 2006 s/Philippe BOUTIN

Date: _____
s/Severine DUBOIS

Date: 30/01/06 
January 30, 2006 s/Christian DINA

Date: _____
January 30, 2006 s/Philippe FROGUEL

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

Assignment

Whereas, I/We, Philippe BOUTIN, Severine DUBOIS, Christian DINA and Philippe FROGUEL of Tourcoing, France, Vecquemont, France, Paris, France, and Bagnolet, France, respectively, hereinafter called assignors, have invented certain improvements in METHOD OF DIAGNOSIS OF OBESITY and executed an application for Letters Patent of the United States of America therefor on June 13, 2005; and

Whereas, CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE, 3 Rue Michel Ange, F75016 Paris FRANCE (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/538,922 and Confirmation number _____, filed June 13, 2005) the application number and filing date of said application when known.

Date: 29/08/2005 PS
February s/Philippe BOUTIN

Date: 7/2006 [Signature]
s/Severine DUBOIS

Date: /
s/Christian DINA

Date: /
s/Philippe FROGUEL

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)